GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – MA&UD Department – Machilipatnam Municipality - Unauthorized encroachments of places earmarked for public purpose in approved layouts and constructions, Machilipatnam Municipality – Disciplinary Proceedings instituted against Sri P.Venkateswar Rao, the then Municipal Commissioner, Machilipatnam Municipality - Inquiry conducted – Charge held proved – Imposition of penalty of 10% cut in monthly pension for a period of Five (5) years under Rule-9 of A.P. Revised Pension Rules, 1980 – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Vig.II.AI) DEPARTMENT

G.O.Ms.No.17 **Dated:01.02.2023.**

Read the following:-

1. From the Director General, General Admn.(V&E)Department, Vigilance Report No.38(232/V&E /D1/06 dated: 21-03-2007.
2. G.O.Rt.No.26,MA&UD (E1) Department, dated: 03.01.2009.
3. WSD of Sri P.Venkateswara Rao, Municipal Commissioner (Retd), Machilipatnam Municipality, dated: Nil.
4. G.O.Rt.No.1685, MA& UD(E1)Department dt.20.12.2012.
5. From Sri Lingaraj Panigrahi, IAS, COI and I,.A.O. Letter No.3/COI.LP/ 2013-1, GA (COI.LP) Department, dated :20-05-2013.
6. Govt. Memo No.11016/E1 2004 MA&UD (E) Department, dt:14.08.2013.
7. Written representation of Sri P.Venkateswara Rao, Municipal Commissioner (Retd), Machilipatnam.
8. Govt. Memo No.11016/E1 2004 MA&UD (E) Department, dt:25.05.2016.
9. Representation of Sri P.Venkateswara Rao, Municipal Commissioner (Retd), Machilipatnam Dt: Dt:21.10.2017 & 23.11.2017.
10. Govt. Memo No.11016/E1 2004 MA&UD (Vig.II) Department, Dated:16.08.2021.
11. Service particulars of Sri P.Venkateswara Rao, Municipal Commissioner (Retd) received from the CDMA, A.P., Mangalagiri, on 16.11.2022.
12. Govt. Letter No. 11016/Vig.II/2007/A1, dated: 22.11.2022.
13. From the Secretary APPSC, Vijayawada, Lr.No. GAD03-APPS0DCC/114/2022-DC-SEC-APPSC, (Computer No.1918978), dt: 04.01.2023

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O R D E R:

Whereas, based on the report of G.A. (V&E) Department in the reference 1st read above, among others, Government initiated disciplinary proceedings against Sri P.Venkateswara Rao, the then Municipal Commissioner (Now Retired), Machilipatnam on the allegations of failure in preventing the unauthorized encroachments of places earmarked for public purpose in approved layouts and constructions in Machilipatnam Municipality vide reference 2nd read above.

2. In the reference 3rd read above the charged officer submitted his written statement of defence denying the charges framed against him and requested to drop further action.

(P.T.O)

3. Having not convinced with the written statement of defence submitted by the charged officer, it was decided to conduct regular inquiry and after following due procedure, orders were issued, in the reference 4th read above, appointing Sri Lingaraj Panigrahi, IAS, COI, as an Inquiry Officer to inquire into the charges framed against the charged officers including the above Charged Officer of Machilipatnam Municipality.

4. In the reference 5th read above, the Inquiry Officer Sri Lingaraj Panigrahi, IAS, COI, submitted his Inquiry report and among others, stated that out of (5) Charges (4) charges were proved against Sri P.Venkateswara Rao, Municipal Commissioner (Retd), Machilipatnam Municipality, in the inquiry.

5. Government have examined the Inquiry Report in detail and in the reference 6th read above, a copy of Inquiry Report was communicated to the charged officer for submitting his written representation if any, on the findings of the Inquiry Officer under Rule 21(2) of APCS (CC&A) Rules, 1991.

6. In the references 7th read above, the charged officer submitted his written explanation. Among others, he requested the Government to exonerate from the charges on humanitarian grounds and to drop further action against him.

7. Government have examined the written representation of charged officer; keeping in view the findings of the Inquiry Officer and provisionally decided to impose a penalty of "10% cut in his monthly pension for a period of Five (5) years", under Rule-9 of AP Revised Pension Rules, 1980 on Sri P.Venkateswara Rao, Municipal Commissioner (Retd), Machilipatnam Municipality, as the charges framed against him are held proved.

8. In the reference 8th read above, a show cause notice was issued to Sri P.Venkateswara Rao, the then Municipal Commissioner (now Retired), Machilipatnam Municipality, with a direction to show cause as to why the above said penalty shall not be imposed against him under Rule 9 of A.P. Revised Pension Rules, 1980. In reply, the Charged Officer submitted his explanation in the reference 9th read above and requested to drop the penalty proposed against him.

9. After careful examination of the written representation of the Charged Officer; keeping in view the findings of Inquiry Authority and after following due procedure, Government has decided to impose a penalty of "10% cut in his monthly pension for a period of Five (5) years" against Sri P.Venkateswara Rao, Municipal Commissioner (Retd), Machilipatnam Municipality, since his explanation is not convincing.

10. In the reference 12th read above, while furnishing the case details and entire record, the APPSC, Vijayawada, has been requested to convey their concurrence for imposing the penalty of "10% cut in his monthly pension for a period of Five (5) years" against Sri P.Venkateswara Rao, Municipal Commissioner (Retd), Machilipatnam Municipality, as per Rules in force. In the reference 13th read above, the Secretary, APPSC, Vijayawada, has informed that Commission agreed with the proposal of the Government to impose a penalty of "10% cut in his monthly pension for a period of Five (5) years" against Sri P.Venkateswara Rao, Municipal Commissioner (Retd), Machilipatnam Municipality.

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11. Government after careful examination of the matter, have decided to confirm the penalty of "10% cut in his monthly pension for a period of Five (5) years" against Sri P.Venkateswara Rao, Municipal Commissioner (Retd), Machilipatnam Municipality.

12. Accordingly, Government hereby impose a penalty of "10% cut in monthly pension for a period of Five (5) years" against Sri P.Venkateswara Rao, Municipal Commissioner (Retired), Machilipatnam Municipality, under Rule-9 of A.P. Revised Pension Rules, 1980.

13. The Commissioner and Director of Municipal Administration, A.P, Mangalagiri, shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y. SRILAKSHMI
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri P.Venkateswara Rao, Municipal Commissioner (Retd), Machilipatnam Municipality **through** the CDMA, A.P., Mangalagiri.
The Commissioner & Director of Municipal Administration, A.P., Mangalagiri.

Copy to:

The Secretary to A.P. Vigilance Commission, A.P. Secretariat, Velagapudi.
The Secretary, A.P. Public Service Commission, A.P., Vijayawada.
The G.A. (V&E) Department, A.P., RTC Complex, Vijayawada.
The Accountant General, A.P. Vijayawada.
SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER.